


RECORDS  
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## DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

November 3, 1988

ALL-COUNTY LETTER NO. 88-141

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: 1. IMPLEMENTATION OF SB 2350/88 (CHAPTER 1137) FOR IN-HOME SUPPORTIVE SERVICES (IHSS) RECIPIENTS RECEIVING SERVICE DELIVERY THROUGH THE INDIVIDUAL PROVIDER MODE.

2. AID PAID PENDING A STATE HEARING - EXCEEDING IHSS STATE MAXIMUM PAYMENT AMOUNTS.

REFERENCE: ALL COUNTY LETTER NO. 88-81 AND THE CASE MANAGEMENT, INFORMATION AND PAYROLLING SYSTEM (CMIPS) INSTRUCTION MANUAL.

This letter provides you with information and instructions regarding the implementation of 1. SB 2350/88 which is effective July 1, 1988 and 2. Aid paid pending a State Hearing which exceeds the IHSS State maximum payment amounts.

1. SB 2350/88, in part, states that:

"In no event shall recipients experience a reduction in the number of hours they were receiving during the month of June 1988, without a reassessment of need."

Prior to the July 1, 1988 maximum service hour changes, some persons were authorized to receive more hours of In-Home Supportive Services than 195 hours for non-severely impaired persons and 283 hours for severely impaired persons. As a result there were reductions in service hours. The intent of SB 2350 is to remedy those reductions and "grandfather" those persons who were adversely affected by reauthorizing the same hours that were authorized during June 1988.

For instance, if a severely impaired person was authorized to receive 291.1 hours during June 1988 but those hours were subsequently reduced to 283 because of new State maximum hours effective July 1, 1988, the hours will be increased to 291.1.

The maximum hours for those "grandfathered" IHSS recipients will not be reduced without a reassessment of need that indicates a reduction of authorized hours of service.

- o When a reassessment is completed and need increases, authorized hours will stay at the "grandfathered" level; this will be considered a State maximum for that person until such time as a reassessment indicates a reduction of need.
- o When a reassessment is completed and the recipient's authorized hours decrease and are still above the usual State maximum, the "grandfathered" hours will remain as that person's State maximum until the authorized hours drop to or below the usual State maximum.
- o When a reassessment is completed and the recipient's authorized hours drop to or below the usual State maximum, the authorization will be decreased accordingly. If a subsequent reassessment indicates an increase, the new authorization may not exceed the usual State maximum.

All recipients affected by the reduction of authorized hours to 195 or 283 will have their hours increased and an underpayment adjustment made, as appropriate. A Notice of Action will be issued to those recipients advising them of these changes.

Adjustments will not automatically be done through the CMIPS because the majority of the affected cases include protective supervision authorized hours. Listings will be provided to identify which cases must be changed. Once CMIPS programming has been completed, we ask that those Counties most affected by this change in the law work with the State Department of Social Services and Electronic Data Systems to expedite updating of recipient records by December 1, 1988.

Generally, little data entry will be necessary to change the SOC 293 In-Home Supportive Services Assessment, SOC 311 Provider Eligibility Update or to generate a Notice of Action. However, underpayment adjustments must be calculated on a case-by-case basis to pay affected recipients for the same IHSS hours as authorized in June 1988. The full cost of the difference in hours is to be paid. A SOC 312 In-Home Supportive Services Special Pre-Authorized Transactions must be completed and entered into CMIPS to generate a warrant, as appropriate, to the recipient. Also, the blanks on the Notice of Action will need to be completed prior to mailing to the recipient.

2. As part of programming changes to CMIPS to accommodate SB 2350/88 cases, future aid paid pending a State Hearing (amounts over State payment maximums) can now be entered using a new procedure which is addressed under State Hearings below.

CMIPS PROCEDURES:

CMIPS program modifications will be completed by November 4, 1988 for implementation of SB 2350/88 and aid paid pending a State Hearing which exceed State payment maximums. Exceptions to implementation instructions will be dealt with on an individual case-by-case basis with the responsible County.

1. SB 2350/88

SOC 293:

For cases with protective supervision hours, an entry will be needed for Line W. For all cases, data entries will be needed to Fields ZZ2 and ZZ3:

- o Line WW Protective Supervision, Alternative Resources column - the difference in hours authorized in June 1988 but reduced in July or August 1988 (divided by 4.33) must be subtracted from the Alternative Resources entry. Re-enter the corrected Alternative Resources amount.
- o Field ZZ2 Rsn. CD.- enter a Reason Code specific to implementation of SB 2350/88.
  - The NOA reason codes 560, 561 and 562 are found below under Notice of Action.
- o Field ZZ3 Beginning Date - enter a Beginning Date which is a future date, i.e., 11/01/88 or 12/01/88.
  - The effective day of the CMIPS change is a future date to avoid payment of erroneous timesheets.

On the TAD SOC 293 the following data modifications will occur:

- o The TAD SOC 293 will have an identifying message on the top which will read:

"Grandfather Hours 1988."

- o Field L1 Hours will be changed to reflect the increased authorized hours of service.
- An asterisk (\*) will display by the hours to indicate the case is eligible for hours different than the State maximum hours.
- o Line M will display a corrected eligibility segment:

- Field M2 Beginning Date will be a future date, i.e., 11/01/88 or 12/01/88.
- Field M4 Gross Amount will change to reflect the increased gross amount of cost.
- Field M5 Hours will change to reflect the increased authorized hours of service.

An asterisk (\*) will display by the hours to indicate the case is eligible for hours different than the State maximum.

- o Line R NOA Message will display two changes:

- NOA message number 560, 561 or 562.
- The grandfathered authorized hours will be displayed on the last six digits of that line.

(The grandfathered hours will display on the RELB Screen on the right side of the line that reads "Segment Select.")

- o The Assessment Grid AA through YY will have Unmet Need Hours move into the Authorized to Be Purchased column in a proportionate distribution, thereby reducing or eliminating Unmet Need Hours.

- Line WW Protective Supervision: The difference in hours authorized in June 1988 but reduced in July or August 1988 (divided by 4.33) and subtracted from Alternative Resources will then be added to the Authorized to Be Purchased Hours.

- o Field ZZ1 NOA will show a "C" for Notice of Action returned to the County for completion.

- o Field ZZ3 Beginning Date will be a future date, i.e., 11/01/88 or 12/01/88.
- o Line aa will display new Purchase Hours (6) and Unmet Need Hours (7).

### SOC 311

Eligibility segments for providers will contain increased authorized hours of service effective November 1, 1988.

SOC 293 changes described above will make all automatic updates to the one recipient/one provider provision of Field E3 # of Prov. including:

- o The TAD SOC 311 will have an identifying message on the top which will read:

"Grandfather Hours 1988."

- o Field F2 Beginning Date shall be a future date, i.e., 11/01/88 or 12/01/88.
- o Field F4 Hours updated to match the recipient hours in the SOC 293 Field M5 Hours.

SOC 311s that must be manually changed - most likely due to more than one provider - must have data changes on all affected provider documents:

- o Field F2 Beginning Date shall be a future date, i.e., 11/01/88 or 12/01/88.
- o Field F4 Hours on multiple SOC 311s shall be equal to the recipient Hours in the SOC 293 Field M5 Hours.

There will be no identifying message on the top of the TAD SOC 311 when data is manually entered.

### Notices of Action:

A Notice of Action (NOA) must be sent to all recipients affected by this change. The NOA will advise the recipient of the increase in authorized hours of service as well as the amount of the underpayment adjustment. All underpayment adjustments will be at the minimum wage rate of \$4.25 which is the lowest hourly base pay for all recipients who are affected. Use one of the following messages. The service worker will need to fill in the blanks.

560. W&IC 12303.4 Due to a July 1988 change in the law your authorized hours of service were decreased by \_\_\_\_\_ hours effective \_\_\_\_\_. That law has recently been modified to authorize the same number of hours you were receiving in June 1988. Effective \_\_\_\_\_ you are authorized to receive the hours shown above under Hours Now.

To compensate you for the hours of service not authorized during \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ we will send you an underpayment adjustment of \$ \_\_\_\_\_ which is \_\_\_\_\_ hours per month times the maximum wage of \$4.25.

561. W&IC 12303.4 Due to a July 1988 change in the law your authorized hours of service were decreased by \_\_\_\_\_ hours effective \_\_\_\_\_. That law has recently been modified to authorize the same number of hours you were receiving in June 1988. Effective \_\_\_\_\_ you are authorized to receive the hours shown above under Hours Now.

You had requested a State hearing regarding the decrease in hours of service and have received aid paid pending the State hearing in the amount of \$ \_\_\_\_\_ per month for \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. We therefore consider that you have been compensated for the hours of service not authorized during those months.

562. W&IC 12303.4 Due to a July 1988 change in the law your authorized hours of service were decreased by \_\_\_\_\_ hours effective \_\_\_\_\_. That law has recently been modified to authorize the same number of hours you were receiving in June 1988. Effective \_\_\_\_\_ you are authorized to receive the hours shown above under Hours Now.

You had requested a State hearing regarding the decrease in hours of service and have received aid paid pending the State hearing in the amount of \$ \_\_\_\_\_ per month for \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. We consider that you have been compensated for the hours of service not authorized during those months.

To compensate you for the hours of service not authorized or paid during \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ we will send you an underpayment adjustment of \$ \_\_\_\_\_ which is \_\_\_\_\_ hours per month times the maximum hourly wage of \$4.25.

SOC 312:

If a recipient has received aid paid pending a State Hearing, there may be no eligibility for an underpayment adjustment - or only a partial adjustment. Please review your case record files to determine what underpayments are due to the recipient. Enter the following data:

## Recipient:

## Field 1 Number - Required

Enter the 2 digit County number, 7 digit recipient number and 1 digit check digit.

## Supplement/Emergency:

## Field 3 Type - Required

Enter X - which indicates no employee tax deductions.

## Field 4 Reason - Required

Enter code 15 - which indicates a change in the law.

## Field 6 From Date - Required

Enter the beginning date of the underpayment.

## Field 7 To Date - Required

Enter the end date of the underpayment.

## Field 8 Gross - Required

Enter the gross dollar/cents amount of the underpayment.

## Field 9 Hours - Required

Enter the number of hours included in the underpayment.

## Field 10 Rate - Required

Enter \$4.25.

## Authorized By:

## Field 35 - Number - Required

Enter the County authorization number.

Payee:

Field 36 - Optional

Enter the recipient's name for identification purposes.

2. STATE HEARINGS:

CMIPS now has the capability to accommodate aid paid pending State Hearing orders, or other payments, over State maximums. The use of any of the State hearing codes 461, 462, 463, 464 or 465 will permit an hourly authorization over State maximums - but not to exceed 291.1 for severely impaired recipients or 201.1 for non-severely impaired recipients served by the individual provider mode of delivery.

- o Review of all IHSS recipient CMIPS files indicate 291.1 for severely impaired persons and 201.1 for non-severely impaired persons were the greatest number of hours authorized in June 1988.

The hours for those recipients receiving services through other delivery modes will be held to those authorized hours entered on the SOC 293 by the Social Service Worker.

SOC 293:

The following SOC 293 data entries are needed:

- o Line R NOA Message - enter the correct aid paid pending a State hearing hours on the right side of that line.
  - The hours will usually - but not always - be those hours displayed in Field N5 Hours.
  - The hours will be displayed on the TAD SOC 293 on the last six digits of that line.

(Use the RELB Screen for data entry on the right side of the line that reads "Segment Select.")

- o Field ZZ2 - enter a State hearing code 461, 462, 463, 464 or 465.
- o Field ZZ3 - enter a Beginning Date one day later than the prior Ending Date.



SOC 311:

SOC 311 data entries will be automated if there is a one recipient/one provider provision in Field E3 # of Provider.

SOC 311s that must be manually changed - most likely due to more than one provider - must have data changes on all affected provider documents:

- o Field F2 Beginning Date shall be one day later than the prior Ending Date.
- o Field F4 Hours on multiple SOC 311s shall be equal to the recipient hours in the SOC 293 Field M5 Hours.

State Hearing Orders:

A. If a State hearing order stipulates a return to the State maximum hours (or dollar amounts), do the following:

SOC 293:

- o Line R NOA Message - delete the aid paid pending amount over the State maximum.  
(Delete the over State maximum entry on the RELB screen.)
- o Field ZZ2 - enter a State hearing code 461, 462, 463 464 or 465.
- o Field ZZ3 - enter a Beginning Date one day later than the prior Ending Date.

SOC 311:

SOC 311 data entries will be automated if there is a one recipient/one provider provision in Field E3 # of Provider.

SOC 311s that must be manually changed - most likely due to more than one provider - must have data changes on all affected provider documents:

- o Field F2 Beginning Date shall be one day later than the prior Ending Date.

- o Field F4 Hours on multiple SOC 311s shall be equal to the recipient hours in the SOC 293 Field M5 Hours.

B. If a State hearing order stipulates service authorization above the State maximum hours (or dollar amounts), do the following:

SOC 293:

- o Line R NOA Message - leave the amount over State maximum alone.

(Leave the over State maximum entry on the RELB screen.)

SOC 311:

SOC 311 data entries will be automated if there is a one recipient/one provider provision in Field E3 # of Provider.

SOC 311s that must be manually changed - most likely due to more than one provider - must have data changes on all affected provider documents:

- o Field F2 Beginning Date shall be one day later than the prior Ending Date.
- o Field F4 Hours on multiple SOC 311s shall be equal to the recipient hours in the SOC 293 Field M5 Hours.

Notices of Action:

State hearing Notices of Action will change slightly. All State hearing NOA codes 461, 462, 463, 464, 465 and 582 will suppress the lead-in messages on top of the Notice of Action. A header message "State Hearing" will print after In-Home Supportive Services Notice of Action.

A new lead-in message will print just above the "Now" and "Was" for Share of Cost information:

- I. As the result of a State hearing request the following will occur.

Questions regarding CMIPS procedures should be addressed to Roberta Christensen at (916) 323-6341. Questions regarding

program issues should be addressed to your Adult and Family Services Operations Consultant at (916) 445-0612.

A handwritten signature in cursive script, appearing to read "Loren D. Suter".

LOREN D. SUTER  
Deputy Director  
Adult and Family Services

cc: CWDA